

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION

UNITED STATES OF AMERICA,)
)
)
vs.) CASE NO. DNCW2:13CR000019-1
) (Financial Litigation Unit)
JAMES THOMAS LIFSEY, JR..)
)

WRIT OF EXECUTION

TO THE UNITED STATES MARSHAL
and Wells Fargo Legal Order Processing:

A judgment was entered on January 22, 2015, (Doc No. 43) in the United States District Court for the Western District of North Carolina, in favor of the United States of America and against Defendant, James Thomas Lifsey, Jr., whose last known address is XX XXXXXXXX XXXXXX XXXXXX XXXXXXXXXXXX, XXXXXXXX, XXXXXX, in the sum of \$46,357.00. The balance on the account as of August 10, 2015 is \$46,357.00.

THEREFORE, YOU ARE HEREBY COMMANDED to levy and/or execute on property and Wells Fargo 401k Account is commanded to **turn over property**, in a timely manner and no later than ninety (90) days after the date of the issuance of this Writ of Execution, in which Defendant, James Thomas Lifsey, Jr., Social Security Number ***-**-****, has a substantial nonexempt interest, the said property being any and all funds located in Wells Fargo retirement accounts in the name of James Thomas Lifsey, Jr., and which may or may not be associated with Ingles Market at the following address:

Wells Fargo Legal Order Processing
P.O. Box 1415
Charlotte, North Carolina 28201

Signed: August 10, 2015

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge



CLAIM FOR EXEMPTION FORM

MAJOR EXEMPTIONS UNDER FEDERAL LAW (18 U.S.C. § 3613)

- ____ 1. Wearing apparel and school books.--Such items of wearing apparel and such school books as are necessary for the debtor or for members of his family.
- ____ 2. Fuel, provisions, furniture, and personal effects.--So much of the fuel, provisions, furniture, and personal effects in the Debtor's household, and of the arms for personal use, livestock, and poultry of the debtor, as does not exceed **\$9,080** in value.
- ____ 3. Books and tools of a trade, business, or profession.--So many of the books, and tools necessary for the trade, business, or profession of the debtor as do not exceed in the aggregate **\$4,540** in value.
- ____ 4. Unemployment benefits.--Any amount payable to an individual with respect to his unemployment (including any portion thereof payable with respect to dependents) under an unemployment compensation law of the United States, of any State, or of the District of Columbia or of the Commonwealth of Puerto Rico.
- ____ 5. Undelivered mail.--Mail, addressed to any person, which has not been delivered to the addressee.
- ____ 6. Certain annuity and pension payments.--Annuity or pension payments under the Railroad Retirement Act, benefits under the Railroad Unemployment Insurance Act, special pension payments received by a person whose name has been entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor roll (38 U.S.C. 1562), and annuities based on retired or retainer pay under Chapter 73 of Title 10 of United States Code.
- ____ 7. Workmen's Compensation.--Any amount payable with respect to compensation (including any portion thereof payable with respect to dependents) under a workmen's compensation law of the United States, any State, the District of Columbia, or the Commonwealth of Puerto Rico.
- ____ 8. Judgments for support of minor children.--If the debtor is required by judgment of a court of competent jurisdiction, entered prior to the date of levy, to contribute to the support of his minor children, so much of his salary, wages, or other income as is necessary to comply with such judgment.
- ____ 9. Certain service-connected disability payments.-- Any amount payable to an individual as a service-connected (within the meaning of section 101(16) of Title 38, United States Code) disability benefit under--(A) subchapter II, III, IV, V, or VI of Chapter 11 of such Title 38 or (B) Chapter 13, 21, 23, 31, 32, 34, 35, 37, or 39 of such Title 38.
- ____ 10. Assistance under Job Training Partnership Act.

--Any amount payable to a participant under the Job Training Partnership Act (29 U.S.C. 1501 et seq.) from funds appropriated pursuant to such Act.